



Lancashire
Constabulary
police and communities together

REPORT TO: JOINT AUDIT AND ETHICS COMMITTEE

DATE: 6 MARCH 2017

REPORT AUTHOR: MEMBERS OF AUDIT & ETHICS COMMITTEE

SUBJECT: SCRUTINY OF COMPLAINT FILES – FEBRUARY 2017

1 Issue for Consideration

- 1.1 The purpose of this report is to enable Members of the Committee to comment at the meeting on the Constabulary's procedures for handling and investigating complaints in respect of files they have viewed.

2 Recommendation

- 2.1 To receive a report on the scrutiny of complaints files.

3 Background

- 3.1 The Commissioner has requested that the Joint Audit and Ethics Committee undertake the scrutiny of complaints against police officers and police staff.
- 3.2 In the last quarter, a Member of the Committee reviewed 19 files which were selected at random and comprised of a cross section of complaint type. The files reviewed had been opened over a period from February 2015 to December 2016 and were randomly selected by the reviewers from a list of closed cases provided by PSD. The files can be analysed by type as follows:

Complaint type	Number	Comment
Local Resolution by Division	6	
Direction & Control	1	Only one of these cases dealt with during period in question
Full investigation by PSD	2	Not upheld
Full investigation by Division	2	Not upheld
Complaint withdrawn	1	
Complaint disapplied	1	
Appeal cases	6	1 appeal upheld.

The reviewer also reviewed 3 cases which had been selected by the Force as being of Cases of Interest. All three cases raise interesting issues and highlight the difficulties faced by PSD and the Force generally in dealing with complex time-consuming cases.

- 3.3 Generally the quality of the complaint process was found to be good, with positive engagement with the complainants and a thorough investigation. The Reviewer saw evidence that previous findings of the Reviewers had been acted upon and there was a real commitment to improvement. There is more use of personalised letters in correspondence with the complainants, including apologies where appropriate. In the 19 cases reviewed, there was only one complainant letter which was “standard” rather than personalised, and PSD are providing feedback on that case to ensure guidance is followed.
- 3.4 The following areas were identified as raising some concern:
- In one local resolution case, there was significant delay, with the investigation taking 20 months from start to finish. PSD acknowledge this is not acceptable and say that SMT recently set up interventions to reduce the time taken on these cases within Divisions
 - One case was not referred to Division for investigation until 5 weeks after receipt, which meant the potentially relevant information from Bodycams was not available. Despite this, the complaint was well investigated. PSD say the process for assessing complaints upon receipt has now been changed to prevent future delay around allocation.
 - A case relating to the return of property had been dealt with in Division as a service recovery issue. This was not resolved and the case was eventually recorded as a complaint some 5 months later. Following return of the property, the case was recorded as “withdrawn” which does not feel appropriate in the circumstances. PSD accept the failings here and are working with Divisions to improve both the service recovery processes and the use of the “withdrawn” categorisation. There has been a significant reduction in “withdrawn” cases recently, which is encouraging.
- 3.4. In relation to Appeal cases, they were all dealt with well, although they took longer than might be hoped with one appeal taking 7 months. This issue has been raised before and the delays are less than in the past, following the appointment of a

dedicated appeal handler. The backlog of complaints has reduced, and PSD are confident that it will reduce further as the new process beds in.

- 3.5 Overall there were no issues of serious concern and the Reviewer was satisfied that the complaint handling process was being followed appropriately and in line with statutory and IPCC requirements.
- 3.6 PSD have issued new guidance on dealing with complaints which includes both the conduct of the investigation and the interaction with complainants.

4 Implications

Financial:	Resource requirements to enable development and implementation of the above can be found from existing budgets.
Legal:	
Equality Impact Assessment:	
Risks and Impact:	
Link to Police and Crime Plan:	

5 List of attachments / appendices

6 Background Papers

- None

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